

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

United States of America)

v.)

Case No.)

MAR -9 2020

David J. Bradley, Clerk of Court

Windy Merrell)

H20-0471M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2019 until March 6, 2020 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

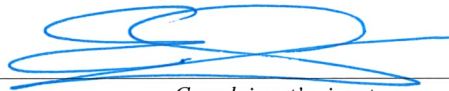
Code Section

Offense Description

18 USC Section 1708
18 USC Section 1344Possession of Stolen Mail
Bank Fraud

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

Eric Casarez, Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/09/2020

Judge's signature

City and state: Houston, Texas

Honorable Frances H. Stacy

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Eric Casarez, being duly sworn, hereby depose and say:

1. I am a Postal Inspector (PI) with the U.S. Postal Inspection Service (USPIS) and have been so employed since January 2013. I am currently assigned to the USPIS Mail Theft/ Mail Fraud Team, which is tasked with the investigation of complex mail theft crimes, including but not limited to, credit card fraud, money order fraud and identity theft. I have gained experience in conducting such investigations through training in seminars, classes and everyday work related investigations. I have personally participated in investigations involving violations of federal law regarding mail theft and criminal groups that result from such unlawful activity. As an inspector, I am authorized to investigate violations of the laws of the United States and to seek forfeiture of property under authority of the United States.

2. I make this affidavit in support of a criminal complaint charging Windy Leigh MERRELL, W/F, 02/27/78, with Title 18 U.S.C., Section 1344 (Bank Fraud) and Title 18 U.S.C., Section 1708 (Mail Theft).

3. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. This affidavit is based on my own personal knowledge, information provided by records, and interviews of witnesses and other law enforcement agents. Where statements of others are set forth in this affidavit, they are set forth in substance an in part.

4. During the months of January 2019 to December 2019, the U.S. Postal Inspection Service received numerous complaints of mail theft from the Greater West Houston Area to include addresses in Katy, Harris County and Fort Bend County, TX. These complaints involved Apartment panel boxes that were pried open and mail stolen, particularly loan checks from Regional and Republic Finance.

5. Regional Finance Fraud Analyst R. Zajackowski-Nalley provided PI Palomar information regarding reported loan check fraud (checks made out to victims from Regional Finance). Suspects stole the checks from the mail from the greater Houston area and then negotiated them using counterfeit identification documents at banks. From the period of January 2019 to December of 2019, approximately \$731,500 negotiated as fraud. Furthermore, victims completed fraud affidavit's pertaining to the negotiated checks.

6. REGIONAL FINANCE Wells Fargo Bank Account Check Number: 1033023030, drawn on checking account #2079900585188 and negotiated at 5175 W 34th St., Houston, TX 77092 at approximately 1507 on October 07, 2019 in the name of GLENNA KRAFT. Affiant viewed the video still photos and positively identified MERRELL as cashing the KRAFT check. MERRELL is a known mail theft suspect and previously identified in several USPIS cases involving forgery and identity theft.

7. REGIONAL FINANCE Wells Fargo Bank Account Check Number: 1032968346, drawn on checking account #2079900585188 and negotiated at the branch located at 1350 W 43RD St., Houston, TX 77018 at approximately 1420 on October 21, 2019 in the name of MARLENE GONZALEZ. Affiant viewed the video still photos and observed a female subject matching the description of MERRELL as cashing the GONZALEZ check.

8. REGIONAL FINANCE Wells Fargo Bank Account Check Number: 1033184502, drawn on checking account #2079900585188 and negotiated at the branch located at 1350 W 43RD St., Houston, TX 77018 at approximately 1323 on November 02, 2019 in the name of PEGGY E. FLORES. Affiant viewed the video still photos and positively identified MERRELL as cashing the FLORES check.

9. On or about March 5, 2020, Houston Police Department Sgt. D. Schlosser, a certified Police Officer in the State of Texas, known to be a credible and reliable person, notified the USPIS regarding an individual (hereafter-styled CS, Confidential Source) who he brought into custody on an unrelated case. On the same day, PI Andres Gomez and Affiant interviewed CS. In summary, CS advised MERRELL resides at 8403 Triola Ln and steals mail using postal keys,

cashes checks found in the mail and conducts fraudulent credit card transactions with cards found in the mail. CS stated MERRELL brings to the residence multiple pieces of stolen mail daily, obtains personal identifying information and creates false identifications in the process.

10. On March 6, 2020, Affiant conducted surveillance at 8403 Triola and observed MERRELL arrive in a 4-door BMW sedan, black in color, and exit the vehicle with several items to include a large black trash bag. The driver, later identified as Zachary Thomas Gray, W/M, 07/29/96, was also seen entering the residence with several items. Soon after, Affiant observed both MERRELL, Gray and an unknown male placing several items, to include a grey plastic bag, back into the BMW sedan.

11. Affiant approached and detained both subjects, as Gray entered the driver seat and MERRELL entered the front passenger seat of the vehicle. Affiant observed, in plain view, the grey plastic bag containing numerous gift cards and other loose documents inside the vehicle. Affiant along with Harris County Constables, Pct. 5 also made contact with two unknown individuals at residence. Through the course of a protective sweep of both the residence and detached garage, Affiant observed inside the residence, in plain view, a large black trash bag along with rifled mail. Affiant also observed upwards of ten large black trash bags, some of which contained rifled mail, inside the detached garage.

12. While on Scene, MERRELL told PI Palomar and PI Rounds in a mirandized interview that various people brought stolen mail to the residence (8043 Triola Ln., Houston, Harris County, Texas 77036) from the southwest area of Houston using (counterfeit) postal arrow keys. The mail stolen from apartment panel boxes. Gray also told PI Gomez and PI Kirkegaard in a mirandized interview that MERRELL commits mail fraud. Gray stated MERRELL goes out at night and steals mail from postal mailboxes. Gray stated that MERRELL gets checks from the mail and later cashes these checks. Gray has witnessed MERRELL bring stolen mail into the residence. Gray advised they use laptops and printers to make paper identification cards. Gray mentioned there was a desktop in the house, but did not know if they used that one too.

13. On the same day, Inspectors obtained a search warrant for 8043 Triola Ln, Houston, TX 77036. Inspectors recovered hundreds of pieces of unopened and rifled mail, numerous checks and fictitious paper identifications combined from within the residence, detached garage and the vehicle (BMW). The checks listed names other than MERRELL and Gray and contained addresses from account holders who reside in greater Houston area. Affiant observed the fictitious paper identifications contained an image of MERRELL but listed the names and personal identifying information of other people.

14. Based on the totality of the foregoing facts and circumstances, I believe that evidence of a violation of Title 18 U.S.C., Section 1344 (Bank Fraud) and Title 18 U.S.C., Section 1708 (Mail Theft) and there is probable cause for the issuance of an arrest warrant for MERRELL.



Eric Casarez

United States Postal Inspector

Sworn and Subscribed to me this 9th day of March, 2020, and I find probable cause.



Frances H. Stacy

United States Magistrate Judge
Southern District of Texas